GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - B.C.Welfare Department – Disciplinary proceedings initiated against Sri Ch. Hari Prasad, the then Assistant BC Welfare Officer, Vijayawada Division, Krishna District (now retired as District BC Welfare Officer) - Inquiry conducted - Further action dropped - Orders - Issued.

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BACKWARD CLASSES WELFARE (D) DEPARTMENT

G.O.Rt.No.151 **Dated:04-05-2023.**

Read the following:

1. Charge Memo. Rc.No.A2/1612/2012, dt.15.03.2013 of the Director of BC Welfare, A.P, Hydrabad.
2. Representation/WSD of Sri Ch. Hari Prasad, DBCWO (Rtd.), dt:20.04.2013.
3. From the Director of B.C.Welfare, A.P., Procgs.Rc.No.D/1612/2012, dt.18.03.2020.
4. From the General Manager, AP Arya Visya Welfare & Development Corporation, Vijayawada/ Inquiry officer, Inquiry Report Dt.Nil
5. From the Director of B.C.Welfare, A.P., Lr.Rc.No.D/1612/2012, dt.30.06.2020.
6. The Hon'ble High Court of Telagana, Hyderabad, Orders dt.27.1.2022 in CC No.1681/2013 filed by Mr.M.A.Amzad Khan, Student.
7. Govt.Memo.BCW01-GEN0APCB(MISC)/13/2021-D, Dt: 06/01/2022.
8. Representation of Sri Ch. Hari Prasad, DBCWO (Rtd.), dt:13.02.2022.
9. From the Director of B.C.Welfare, A.P., Lr.Rc.No.D/1612/2012, dt.03.03.2022 & 09.05.2022.

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ORDER:-

Whereas, it has been brought to the notice of the Government through the Director of BC Welfare, A.P that, Sri Ch.Hari Prasad, the then ABCWO (now Rtd. as DBCWO, Vijayawada Division, Krishna District), while officiating as Verification Officer at NTR Health University, Vijayawada, on the claim of BC-E caste certificates for admission into PG Medical Course, has indulged in unnecessary clarification on the question of validity of BC-E Caste Certificate produced by the Student Sri M.A.Amjad Khan, S/o. Md.Abdul Mujeeb Khan. Even after clarification was issued from the Director, BC Welfare, Sri Ch.Hari Prasad, the then ABCWO & verification officer, has not honored the instructions issued from the Director of BC Welfare, AP. As a result of this, the student Sri M.A.Amjad Khan, S/o. Mohd.Abdul Mujeeb Khan could not be admitted into the M.S (ENT) Course. Aggrieved with the above, the student Mr.M.A Amzad Khan has filed WP No.20041/2012 before the Hon'ble High Court for providing seat under B.C(E) category. Whereas, the Hon'ble High Court, vide orders dt.17-08-2012 in WP No.20041/2012, was not inclined to direct the university authorities to provide seat on the ground that admissions were already over and also directed the respondents (i.e., Govt. and the Registrar of NTR Health University) to pay each 2.0 lakhs compensation to the petitioner; by observing that as the disciplinary proceedings have been contemplated against the 4th respondent (i.e. Sri Ch.Hari Prasad, then ABCWO and the Verification Officer) by the Director, BC Welfare. Further, as per appeal of the Student, the Hon'ble High Court in WA No.1058/2012 has enhanced the compensation to Rs.3 lakhs each to be paid by respondents 1 & 4 (Govt. and Sri Ch.Hari Prasad, DBCWO (Rtd.)) vide orders dt.14-09-2012; and also given liberty to the Government to recover the amount from the respondent officers.

2. Whereas, the Director, BC Welfare has issued instructions to Sri Ch.Hari Prasad, then ABCWO & Verification Officer, for payment of Rs.6.00 lakhs fully to the Student Sri M.A.Amjad Khan in respect of both the above respondents (ie. Govt. and himself), keeping in view the orders issued by the Hon'ble High Court in WP No.20041/2012, dt.17-08-2012 and in WA No.1058/2012, dt.14-09-2012. After

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receipt of explanation from Sri Ch.Hari Prasad, then ABCWO (Rtd. as DBCWO) and was not convincing with the explanation, the Director of BC Welfare, A.P, has framed Article of Charges against Sri Ch.Hari Prasad, the then ABCWO (Rtd. as DBCWO) on the allegations of non implementing the instructions of the Director, BC Welfare, while acting as Verification Officer, Dr.NTR university of Health Science, Vijayawada and for insisting unnecessary clarification on the validity of BC-E community certificate produced by Sri M.A.Amjad Khan, S/o.Md.Abdul Mujeeb Khan for admission into PG Medical Course and thus resulting loss of student's one academic year, based on the orders of Hon'ble High Court in WP No.20041/2012, dt.17-08-2012, in the reference 1st read above.

3. The Charged Officer ie. Sri Ch.Hari Prasad, DBCWO (Rtd.) has submitted written statement of defense and denied all the charges framed against him, vide reference 2nd read above. Since the explanation of the Charged Officer has not been satisfied, the General Manager, AP Arya Visya Welfare & Development Corporation, Vijayawada was appointed as inquiring authority to inquire into the charges framed against the Charged Officer, vide reference 3rd read above.

4. In the reference 4th read above, the Inquiry Officer / General Manager, AP Arya Visya Welfare & Development Corporation, Vijayawada has submitted inquiry report stating that all the three (3) charges framed against the Charged Officer were held proved.

5. In the meanwhile, the student Mr.A.Amzad Khan has filed C.C.No.1681/2013 before the Hon'ble High court of Telangana for not receiving the compensation amount as directed by the Hon'ble High Court in WA No.1058/2012, dt.14-09- 2012 in WP No.20041/2012.

6. Whereas, in the reference 8th read above, the charged officer has stated that, he has requested the petitioner student and explained his genuinity in the incident; and the petitioner has accepted to withdraw the C.C.No.1681/2013 filed in WP No.20041/2012 before the Hon'ble High Court. Accordingly, the Hon'ble High Court, vide its orders dt.27.01.2022, have closed the contempt case in the light of plea of the student petitioner and appreciated the gesture of student Mr.M.A.Amzad Khan in showing magnanimity. Hence, the charged officer, while enclosing the Court orders in CC No.1681/2013, has requested the Govt. to drop the disciplinary action proposed against him, since the article of charges were framed on the basis of orders in WP No.20041/2012, dt.17-08-2012.

7. Government, after careful examination of the matter in detail duly consulting the advisory departments for remarks, have decided and hereby drop further disciplinary action against Sri Ch.Hari Prasad, DBCWO (Rtd.).

8. The Director of BC Welfare shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Ch.Hari Prasad, District BC Welfare Officer, (now retired).
(through the Director of BC Welfare, A.P., Vijayawada).
The Director of BC Welfare, A.P., Vijayawada.

Copy to:
The AP Vigilance Commission, Vijayawada.
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//FORWARDED:: BY ORDER//

SECTION OFFICER